UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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STEVEN I WEISBURD, ESQ.
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
1177 AVEMUE OF THE AMERICAS - 41ST FLOOR
NEW YORK, NY 10036-2714

EXAMINER
DASS, HARISH T

ART UNIT	PAPER NUMBER
3693	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

		Application No.	Applicant(s)
Office Action Summary		09/753,940	HORSFALL ET AL.
		Examiner	**Art Unit**	
		Harish T. Dass	3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>05 January 2007</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-43</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-43</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some *   c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/25/2006</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly

claiming the subject matter which the applicant regards as his invention.

Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. A broad range or limitation together with a narrow range or

limitation that falls within the broad range or limitation (in the same claim) is considered

indefinite, since the resulting claim does not clearly set forth the metes and bounds of

the patent protection desired. See MPEP § 2173.05(c). In the present instance,

independent claims recites the broad recitation **"the trader terminal user interface**

further comprising:", and the claim also recites **"the trader terminals further**

comprising" which is the narrower statement of the range/limitation.

Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. Claim 1 "the status" line 7 and "the new deal" line 13. Similarly,

independent claims 16, 22, 36 and 39 having the same deficiencies.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-43 are rejected Ordish (US 5,195,031) in view of Oliviero Stock "Natural

Laguage and Exploration of an Information space: the ALFresco Interactive System",

IRST – Istituto per la Ricerca Scientifica e Tecnologica, 38050 Povo, Trento, Italy

(hereinafter Stock).

Re. Claims 1, 16, 22, 36-37, and 39, Ordish substantially discloses conversational

trading system for providing real time context sensitive trading messages (tickets)

based on conversation analysis [see entire document particularly Abstract; figures; C1

L31 to C3 L33; C5 L25 to C7 L2; C8 L42 to C11 L17; C13 L1-L67; C25 L37 to C27 L10

and claims], a deal stack holding a plurality of deals in which the trader is participating,

the deal stack including the status of each deal and a deal description [Figures 4-6; C25

L37 to C27 L10], means for entering conversational deal related information [C6 L65 to

C7 L2; C25 L37-L67], a parser for parsing the conversational deal related information to

detect a change in or an intention to change deal status; and for notifying the deal stack

of the change in deal status [C8 L42 to C11 L17], whereby on receipt of a changed deal

status notification, the deal stack generates deal string appropriate to the new deal

status [C8 L40-L50; C9 45 to C10 14; C19 L1 to C20 L10].

Stock discloses wherein information looked for by the parser during parsing is
determined in accordance with a current deal status (dynamic, expression, and
conversation) [see pages 972-978, particularly sections 4 & 5 "An English version...
request of information follows:" which means the system detect the changes in
conversation] to provide an interactive natural language based system for human-
computer interface with combine graphic and language. It would have been obvious at
the time the invention was made to a person having ordinary skill in the art to modify the
disclosure of Ordish and include wherein information looked for by the parser during
parsing is determined in accordance with a current deal status, as disclosed by Stock,
to provide an interactive conversational system to dynamically analyze (parse) dialog in
real session and take an action based on the parsing the dialog.

Re. Claims 2-6, Ordish further discloses wherein the parser is deal status dependent,
whereby the parser parses conversation input by the trader to detect in the conversation
a predetermined content related to the deal status, wherein the system analyses the
parsed deal status information provided by the parser to detect the presence of a
plurality of predetermined deal variables, wherein a deal is initiated by a taker and the
parser to parses conversation input into the system by the deal maker and deal taker,
wherein, in the absence of any deal related information in the parsed conversation, the
parser monitors the conversation for a request for a quote (RFQ), wherein the parser
has a list of terms pertinent to each deal stage for a given instrument and, on detection

of a term in the list for a given deal stage, parses the terms and variables in the

conversation [Figures 3-4, 28; C8 L42 to C11 L17; C13 L1-L67].

Re. Claims 7-9 Ordish further discloses further comprising means for inputting non

conversational deal related information, wherein the means for inputting non-

conversational deal related information comprises deal status dependent buttons on the

deal stack, and wherein the means for inputting non-conversational deal related

information comprises a plurality of deal status dependent keyboard driven menus

[Abstract; Figures 1, 28; C1 L31 to C3 L33; C6 L65 to C7 L2; C25 L37-L67; claim 12].

Re. Claims 10-13 Ordish discloses wherein the means for entering conversational deal

related information comprises a conversation panel in the user interface, wherein deal

related information input into the system via means for inputting non-conversational deal

related information is converted into conversation and entered into the conversation,

wherein each deal in the deal stack has an associated conversation, and wherein the

trader terminal further includes a messaging system for sending deal related messages

to the dealing system when the status of a deal in the deal stack changes, the

messages sent being dependent on the status of the deal [Figures 1-2; C1 L31 to C3

L33; C6 L65 to C7 L2; C13 L1-L67; claim 1].

Re. Claims 14-15 Ordish further discloses wherein the instruments include at least one financial instrument (spot type deal) and wherein the at least one financial instrument is a foreign exchange (currency) [Figures 4, 23; C13 L1 to C14 L57].

Re. Claims 19-21 Ordish discloses wherein each deal status has an associated deal string [Figures 4-6; C10 L15-L63], further comprising non-conversational means for the trader to input deal status changes into the trading system and wherein the non-conversational means for entering deal status changes includes a plurality of deal status dependent buttons on the deal stack [C1 L31 to C3 L33; C6 L65 to C7 L2; C25 L37-L67].

Re. Claims 17-18 Ordish further discloses wherein the parser monitors the conversation in the conversation panel for predetermined terms dependent on the deal status [C8 L42 to C11 L17; C13 L1-L67; C25 L37 to C27 L10], and wherein the parser comprises a list of deal statuses and associated terms indicating a change of status [Figures 4-6; C25 L37 to C27 L10].

Re. Claim 23 Ordish discloses wherein the parser is deal status dependent, whereby the parser parses conversation input by the trader to detect in the conversation a predetermined content related to the deal status [C6 L65 to C7 L2; C8 L42 to C11 L17; C25 L37-L67].

Re. Claim 24 Ordish discloses wherein the system analyses the parsed deal status information provided by the parser to detect the presence of a plurality of predetermined deal variables [C8 L42 to C11 L17; C13 L1-L67; C25 L37 to C27 L10].

Re. Claims 25-27 Ordish discloses wherein a deal is initiated by a taker and the parser parses conversation input into the system my the deal maker and wherein, in the absence of any deal related information in the parsed conversation, the parser monitors the conversation for a request for a quote (RFQ) and wherein the parser has a list of terms pertinent to each deal stage for a given instrument and, on detection of a term in the list for a given deal stage, parses the terms and variables in the conversation [Figures 3-6, 9-10; C8 L42 to C11 L17; C13 L1-L67].

Re. Claims 28-31, Ordish further discloses means for inputting non-conversational deal related information, wherein the means for inputting non-conversational deal related information comprises deal status dependent buttons on the deal stack, wherein the means for inputting non-conversational deal related information comprises a plurality of deal status dependent keyboard driven menus, and wherein the means for entering conversational deal related information comprises a conversation panel in the user interface [Abstract; Figures 1, 28; C1 L31 to C3 L33; C6 L65 to C7 L2; C25 L37-L67; claims 1&12].

Re. Claims 32-33, Ordish further discloses wherein each deal in the deal stack has an associated conversation, and a messaging system for sending deal related messages to the dealing system when the status of a deal in the deal stack changes, the messages sent being dependent on the status of the deal [C1 L31 to C3 L33; C6 L65 to C7 L2; C13 L1-L67; claim 1].

Re. Claims 34-35 Ordish further discloses wherein the instruments include at least one financial instrument, and wherein the at least one financial instrument is a foreign exchange (FX) instrument [Figures 4, 23].

Re. Claim 38, Ordish further discloses wherein the means for entering deal related information into the system comprises keyboard driven menus [C1 L31 to C3 L33; C6 L65 to C7 L2; C25 L37-L67; claim 12].

Re. Claims 40-43, Stock further discloses wherein the information looked for by the parser for a given deal status is a subset of information for all deal statuses. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Ordish and include wherein the information looked for by the parser for a given deal status is a subset of information for all deal statuses, as disclosed by Stock, to provide an interactive conversational system to dynamically analyze (parse) dialog in real session and take an action based on the parsing the dialog.

Response to Arguments

Applicant's arguments with respect to pending claims have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant argument that "Ordish relates to a video communication ..." Applicant argues about limitation which is not claimed. See Ordish col. 1 lines 53-55 "provides a real time conversational communication". Applicant limitation does not exclude Ordish type of conversational communication.

In response to applicant's argument that "However, if conversation relating ..." Applicant argues about limitation which is not claimed "RFQ" is not claimed. See Ordish system is context sensitive and it is parses the information and detects the deal change (see col. 17 lines 49-64 and col. 20 lines 21-25;col. 2 lines 39-45 "inconsistencies are detected" means can detect the status change too).

In response to applicant's arguments "Wagner relates to computerized ..." Primary reference discloses conversational negotiation and Wagner is a secondary reference and discloses limitation which are not disclosed by primary reference.

In response to remaining applicant's argument, applicant analysis the reference and does not argues what limitation is not disclosed by primary and/or secondary reference.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T. Dass whose telephone number is 571-272-6793. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James A. Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Harish T Dass *Harish TDass*
Examiner
Art Unit 3693

3/24/07